

REMARKS

Amendments to the Claims

The applicants gratefully acknowledge the indication of allowable subject matter made by the Examiner in her previous office action. The dashed lines have been removed from the structures of claims 19 and 20 as requested by the Examiner.

In order to place the claims in better condition for allowance, claims 18-20 have deleted the reference to "...the lactone of formula III..." which is a cleaved product and makes more direct reference to the cyclic acetal portion of the compound of formula I or Ia.

Upon review of the claims, the compounds excluded in original claim 20 were inadvertently included into the scope of claim 1. Claim 1 has now been amended to exclude these compounds (Exclusionary language was predicted by compound 7 from Brunckova et al. reference (see page 11946); compound 5 of the Dixon et al. reference (see cover page) and compound 3 of Cho et al. (see page 1844 from *Tetrahedron: Asymmetry*, vol. 10, pages 1843-1846 (1999) - copy provided with IDS concurrently filed with this response.)

Claims 1-26 are still pending. It is believed that no new matter has been added.

Closing

Applicants also believe that this application is in condition for allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing Amendment Under 37 CFR § 1.111 is being deposited with the United States Postal Service as Express Mail, label no. EV 424018758 US in an envelope addressed to: Hon. Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Date: **16 August 2004**

By: Agata Glinska
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